

Maria R. Metcalf
954 Surrey Drive
Chula Vista, CA 91902
Phone (619) 399-1066

FILED

08 MAY 15 PM 12:28

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

MARIA R. METCALF,

Plaintiff,

v.

AURORA LOAN SERVICES LLC,
A California limited liability
Company

Defendant.

CIVIL ACTION NO.

'08 CV 0872 WQH RBB

PETITION FOR REMOVAL

The Petition of Plaintiff MARIA R. METCALF, respectfully shows the following:

COMES NOW the Plaintiff, MARIA R. METCALF, and petitions this Honorable Court
for removal of an action to the United States District Court on the following grounds:

1.

Plaintiff filed an action under the Federal Truth in Lending Act.

2.

Subsequent to the filing of the above suit, Defendant filed A Complaint for Unlawful

Detainer in the Superior Court of the State of California, Case No. 37-2008-00030978-CL-UD-

SC.

3.

The above State law case should be removed to the jurisdiction of the United States District Court and consolidated with the pending federal lawsuit so that all of the rights of the respective parties can be adjudicated in one proceeding.

WHEREFORE, Petitioner demands the following relief:

1. This Honorable Court to remove the state court action.
2. Afford adequate discovery in the U.S. District Court
3. Grant all further and other relief deemed equitable, appropriate and just.

VERIFICATION

The undersigned Affiant Maria R. Metcalf does swear, declare and affirm that the Affiant executes this Affidavit with sincere intent and competently states the matters set forth. I the undersigned being under oath and declare under penalty of perjury, that I do not have an attorney to represent me in this case. Also that the contents are true, correct and not misleading to the best of my knowledge.


Maria R. Metcalf
Petitioner Pro Se/Affiant

5/15/08
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition for Removal has been furnished to Edward A. Treder, attorney for Defendant Law Offices of Robert E. Weiss Incorporated at 920 S. Village Oaks Drive, Covina, CA 91724 this 15th day of May, 2008 via Fax at (626) 967-9216, (626) 339-7103 and By USPS Certified Mail Return Receipt Requested.

Maria R. Metcalf 5/15/08
Maria R. Metcalf, Petitioner Pro Se
954 Surrey Drive
Chula Vista, CA 91902
Phone (619) 399-1066

EDWARD A. TREDER
State Bar No. 116307
Law Offices

ROBERT E. WEISS INCORPORATED
920 S. Village Oaks Drive
Covina, CA 91724
(626) 967-4302
etreder@rewlaw.com

(626) 967-9216
339-7103

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, SOUTH COUNTY REGIONAL CENTER

AURORA LOAN SERVICES LLC

Plaintiff,

vs.

MARIA R. METCALF; and DOES 1 to 10,
inclusive,

Defendants.

CASE NO.

COMPLAINT FOR UNLAWFUL DETAINER
(DEMAND UNDER \$10,000)

(Cal. Code of Civ. Pro. §§ 1161a(b)(3),(c))

Plaintiff alleges the following:

1. Plaintiff AURORA LOAN SERVICES LLC is the current owner of certain real property and improvements thereon commonly known as 954 Surrey Drive, Chula Vista, California 91902 following a non-judicial foreclosure sale held in accordance with California Civil Code §§ 2924 et seq. Plaintiff's title was duly perfected by Trustee's Deed Upon Sale recorded on February 28, 2008 as Instrument No. 2008-0102980 in the Office of the San Diego County Recorder, a true and correct copy of which is attached hereto as Exhibit "1" and incorporated herein by this reference.

1 2. Defendant MARIA R. METCALF is the current occupant of the real property and was
2 the original trustor under the foreclosed deed of trust or the successor-in-interest to such original trustor
3 and the last vested owner of record as of the foreclosure sale date.

4
5 3. The true names and capacities, whether individual, corporate, associate or otherwise of
6 defendants named herein as DOES 1 through 10, and of each of them, are unknown to plaintiff who
7 therefore sues said defendants by their fictitious names as allowed by California Code of Civil Procedure
8 § 474. Plaintiff asks leave of the court to amend its complaint to include the true names and capacities of
9 said defendants when the same have been ascertained.
10

11
12 4. Plaintiff is informed and believes and based thereon alleges that each defendant sued
13 herein as DOE 1 through 10, inclusive, claims a possessory interest in the real property hereafter
14 described as a tenant or successor-in-interest to the former owner.

15
16 5. On March 18, 2008, Defendant MARIA R. METCALF was duly served in the manner
17 prescribed by Cal. Code of Civ. Pro. § 1162 with written notice demanding that she surrender possession
18 of the real property to plaintiff not later than three days following service of said written notice. True
19 and correct copies of said written notice with corresponding proof of service are attached hereto as
20 Exhibits "2" and "3," respectively, and incorporated herein by this reference.
21

22
23 6. That same date, Defendants DOE 1 through DOE 10 were duly served in the manner
24 prescribed Cal. Code of Civ. Pro. § 1162 with written notice demanding that they surrender possession
25 of the real property to plaintiff no later than thirty days following service of said written notice. True
26 and correct copies of said written notice with corresponding proofs of service are attached hereto as
27 Exhibit "4" and "5" and incorporated herein by this reference
28

7. More than three/thirty days have elapsed since the service of said written notices, but defendants have failed and refused to surrender possession of said real property and continue to occupy the real property without plaintiff's authorization or consent.

8. The fair and reasonable rental value of the real property is \$50.00 per day. Plaintiff is entitled to recover a money judgment against defendants for their continued occupancy of the real property at this daily rate from and after expiration of the notice to quit through the date of judgment.

9. Plaintiff is entitled to restitution and possession of the real property from defendants named herein pursuant to California Code of Civil Procedure §§ 1161a(b)(3) and/or 1161a(c) and therefore requests a judgment enforceable by any authorized law enforcement agency.

WHEREFORE, plaintiff prays judgment as follows:

1. For judgment awarding plaintiff restitution and possession of the real property;
2. For monetary damages according to proof;
3. For costs of suit incurred herein.
4. For such other and further relief as the court deems proper.

Date: May 7, 2008.

By:

ROBERT E. WEISS INCORPORATED

EDWARD A. TREDER, Attorneys for Plaintiff

EXHIBIT 1

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE

DOC # 2008-0102980



WHEN RECORDED MAIL TO:

2
AURORA LOAN SERVICES LLC
C/O AURORA LOAN SERVICES, INC.
601 FIFTH AVE
SCOTTSBLUFF, NE 69361

MAIL TAX STATEMENTS TO

Same as above

6148

pb
7P
DWA

FEB 28, 2008 11:59 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 12.00
OC: NA

PAGES: 2



Trustee Sale No. 07-0500-CA

Loan No. 0033798224

Title Order NO. M7 14522

TRUSTEE'S DEED UPON SALE

APN 593-311-14-00

The undersigned grantor declares:

- 1) The Grantee herein was the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was \$964,896.55
- 3) The amount paid by the grantee at the trustee sale was \$875,000.00
- 4) The documentary transfer tax is \$NONE
- 5) Said property is in the CITY of CHULA VISTA

and **ROBERT E. WEISS INCORPORATED** (herein called Trustee), as the duly appointed Trustee or substituted Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without covenant or warranty, express or implied, to **AURORA LOAN SERVICES LLC** (herein called Grantee), all of its right, title and interest in and to that certain property situated in the County of SAN DIEGO, State of California, described as follows:

LOT 198 OF RANCHO ROBINHOOD III, IN THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 8604, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JUNE 24, 1977.

Situs: 954 SURREY DRIVE, CHULA VISTA, CA 91902

RECITALS:

This conveyance is made pursuant to the powers conferred upon Trustee by that certain Deed of Trust dated 02-01-2007 and executed by MARIA R METCALF, A SINGLE WOMAN, as Trustor, and Recorded 02-13-2007, Book , Page , Instrument 2007-0101097 of official records of SAN DIEGO County, California, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance.

Trustee Sale No. 07-0500-CA

Loan No. 0033798224

Title Order No. M714522

6149

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the Office of the Recorder of said County.

All requirements of law regarding the mailing of copies of notices or the publication of a copy of the Notice of Default or the personal delivery of the copy of the Notice of Default and the posting and publication of copies of the Notice of a Sale have been complied with.

Said property was sold by said Trustee at public auction on 02-22-2008 at the place named in the Notice of Sale, in the county of SAN DIEGO California, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefore to said trustee the amount bid being \$875,000.00 in lawful money of the United States, or by the satisfaction, pro tanto, of the obligation then secured by said Deed. Of Trust.

DATE: 02-22-2008

ROBERT E. WEISS INCORPORATED, As Trustee

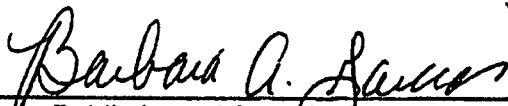

ROBERT E. WEISS, PRESIDENT

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On 02-22-2008 before me, Barbara A. Garcia the undersigned Notary Public in and for said county, personally appeared Robert E. Weiss, President, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public in and for said County and State

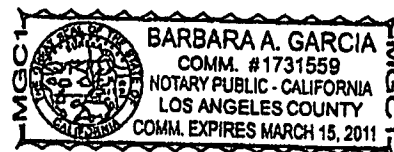


EXHIBIT 2

THREE DAY NOTICE TO QUIT
(Cal. Code of Civ. Pro. § 1161a(b)(3))

To: MARIA R. METCALF, A SINGLE WOMAN
954 SURREY DRIVE, CHULA VISTA, CA 91902

YOU ARE HEREBY NOTIFIED that the real property and improvements thereon commonly known as 954 Surrey Drive, Chula Vista, California 91902 ("the Property") have been sold to Aurora Loan Services LLC at a non-judicial foreclosure sale in accordance with Cal. Civ. Code §§ 2924 et seq. under the power of sale contained in that certain Deed of Trust executed by Maria R. Metcalf, a single woman, and recorded on February 13, 2007 as Instrument No. 2007-0101097 in the Office of the San Diego County Recorder. The new owner's title has been duly perfected by Trustee's Deed Upon Sale recorded in the Office of the San Diego County Recorder.

YOU ARE FURTHER NOTIFIED that your occupancy of the Property shall terminate effective **THREE (3) CALENDAR DAYS** after service of this Notice upon you.

WITHIN **THREE (3) CALENDAR DAYS** following service of this Notice, you must vacate and surrender possession of the Property to the undersigned, or legal proceedings will be immediately commenced to declare your occupancy forfeited, to obtain restitution and possession of the Property and to obtain a money judgment against you for damages and court costs.

ROBERT E. WEISS INCORPORATED

Dated: March 19, 2008

By: 

JAMES T. LEE

Attorneys for Property Owner
Aurora Loan Services LLC

FILE NO: 07-0500-CA
LOAN NO: 0033798224

Direct All Inquiries to:

JAMES T. LEE
State Bar No. 110838
Law Offices of
ROBERT E. WEISS INCORPORATED
920 South Village Oaks Drive
Covina, CA 91724
Phone: (626) 967-4302
FAX: (626) 339-7103

EXHIBIT 3

Attorney of Party Without Attorney (Name and Address) Robert E. Weiss, Incorporated 920 Village Oaks Drive Covina CA 91722 Attorney For: PLAINTIFF		Telephone No: (626)967-4302		FOR COURT USE ONLY
		Reference Number: 379314 07-0500-CA		
Plaintiff/Petitioner: Aurora Loan Services, LLC Defendant/Respondent: vs. Maria R. Metcalf, et al.				
PROOF OF SERVICE	Hearing Date:	Time:	Dept./Div.:	Case Number: NOTICE

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

Three Day Notice to Quit

On the following tenant(s): Maria R. Metcalf, A Single Woman

Address: 954 Surrey Drive
Chula Vista, CA 91902

Date and Time of Posting: 3/18/2008 at 4:01pm.

BY POSTING a copy for each above-named tenant in a conspicuous place on the property therein described, there being no person of suitable age or discretion to be found at any known place of residence or business of said tenant(s) AND MAILING by first-class mail on said date a copy to each tenant by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named tenant(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

Attorney Service of San Dimas

142 East Bonita Avenue
San Dimas, CA 91773
(909)394-1202 Fax (909)394-1204

Fee for service: \$ \$50.00

Julie Ratliff

Registered California process server:

- (i) Independent contractor
- (ii) Registration No.: 5659
- (iii) County: Los Angeles

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/2/2008

(Signature)

EXHIBIT 4

THIRTY DAY NOTICE TO QUIT

(Cal. Code of Civ. Pro. §§ 1161a(b)(3), (c))

**To: OCCUPANTS IN POSSESSION (except former owner(s))
954 SURREY DRIVE, CHULA VISTA, CA 91902**

YOU ARE HEREBY NOTIFIED that the real property and improvements thereon commonly known as 954 Surrey Drive, Chula Vista, California 91902 ("the Property") have been sold to Aurora Loan Services LLC at a non-judicial foreclosure sale in accordance with Cal. Civ. Code §§ 2924 et seq. under the power of sale contained in that certain Deed of Trust executed by Maria R. Metcalf, a single woman, and recorded on February 13, 2007 as Instrument No. 2007-0101097 in the Office of the San Diego County Recorder. The new owner's title has been duly perfected by Trustee's Deed Upon Sale recorded in the Office of the San Diego County Recorder.

YOU ARE FURTHER NOTIFIED that your occupancy of the Property shall terminate effective THIRTY (30) CALENDAR DAYS after service of this Notice upon you.

WITHIN THIRTY (30) CALENDAR DAYS following service of this Notice, you must vacate and surrender possession of the Property to the undersigned, or legal proceedings will be immediately commenced to declare your occupancy forfeited, to obtain restitution and possession of the Property and to obtain a money judgment against you for damages and court costs.

ROBERT E. WEISS INCORPORATED

Dated: March 19, 2008

By:

JAMES T. LEE

FILE NO: 07-0500-CA

LOAN NO: 0033798224

Attorneys for Property Owner
Aurora Loan Services LLC

Direct All Inquiries to:

JAMES T. LEE
State Bar No. 110838
Law Offices of
ROBERT E. WEISS INCORPORATED
920 South Village Oaks Drive
Covina, CA 91724
Phone: (626) 967-4302
FAX: (626) 339-7103

Attorney of Party Without Attorney (Name and Address) Robert E. Weiss, Incorporated 920 Village Oaks Drive Covina CA 91722 Attorney For: PLAINTIFF		Telephone No: (626)967-4302	FOR COURT USE ONLY 	
		Reference Number: 379315 07-0500-CA		
Plaintiff/Petitioner: Aurora Loan Services, LLC Defendant/Respondent: vs. Maria R. Metcalf, et al.				
PROOF OF SERVICE	Hearing Date:	Time:	Dept./Div.:	Case Number: NOTICE

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

Thirty Day Notice to Quit

On the following tenant(s): All Occupants in Possession (Except Former Owners)

Address: 954 Surrey Drive
Chula Vista, CA 91902

Date and Time of Posting: 3/18/2008 at 4:01pm.

BY POSTING a copy for each above-named tenant in a conspicuous place on the property therein described, there being no person of suitable age or discretion to be found at any known place of residence or business of said tenant(s) AND MAILING by first-class mail on said date a copy to each tenant by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named tenant(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

Attorney Service of San Dimas

142 East Bonita Avenue
San Dimas, CA 91773
(909)394-1202 Fax (909)394-1204

Fee for service: \$ \$30.00

Julie Ratliff

Registered California process server:

(i) Independent contractor

(ii) Registration No.: 5659

(iii) County: Los Angeles

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/2/2008

(Signature)

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

150925 - MS

May 15, 2008
12:20:33

Civ Fil Non-Pris

USAO #: 08-CV-0872 CIVIL FILING

Judge.: WILLIAM Q HAYES

Amount.: \$350.00 CA

Total-> \$350.00

FROM: MARIA R. METCALF
VS. AURORA LOAN SERVICES LLC
CIVIL FILING

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MARIA R. METCALF

(b) County of Residence of First Listed Plaintiff

SAN DIEGO

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

MARIA R. METCALF (619) 399-1066
954 SURREY DR. BONITA, CA 91902

DEFENDANTS

AURORA TRAN SERVICES L.B.C.
R California Bankruptcy Company
08 MAY 12 28

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

DEPUTY

08 CV 0872 WQH RBB

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☒ 3 Federal Question
(U.S. Government Not a Party)☐ 2 U.S. Government Defendant☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

PTF DEF
☐ 1 ☐ 1

Incorporated or Principal Place of Business In This State

PTF DEF
☐ 4 ☐ 4

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business In Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input checked="" type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

☐ 1 Original Proceeding☒ 2 Removed from State Court☐ 3 Remanded from Appellate Court☐ 4 Reinstated or Recopened☐ 5 Transferred from another district (specify)☐ 6 Multidistrict Litigation☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

15 USC 1601 et seq
PETITION FOR REMOVAL & ILLEGAL VETERANS

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

5/15/08

SIGNATURE OF ATTORNEY OF RECORD

Maria R. Metcalf

FOR OFFICE USE ONLY

RECEIPT # 150925 AMOUNT \$350

APPLYING IFP

JUDGE

MAG. JUDGE

MS 5/15/08